

RESIDENTIAL BUILDERS COMMISSION  
Synergy Business Park  
110 Centerview Drive Kingstree Building, Room 108  
Columbia, South Carolina 29210  
Wednesday, November 12<sup>th</sup>, 2014

**NOTE: These minutes are a record of the motion and official actions taken by the Board and brief summary of the meeting.**

**Called To Order:**

Derrick Williams, Chairman called the regular meeting of the Residential Builders Commission to order at 10:00 a.m. Other members present for the meeting included: Al Bailey, Hal Dillard, Tim Roberts, Caleb Davis and Bryan Dowd.

Derrick Williams, Chairman, announced that public notice of the meeting was properly posted on the bulletin boards at the main entrance of the Kingstree Building and by notice mailed to all requesting person, organizations and news media in accordance with §30-4-80 of the South Carolina Freedom of Information Act.

**Approval of Agenda:**

**MOTION:**

Mr. Bailey made a motion to approve the November 12<sup>th</sup>, 2014 Residential Builders Commission Meeting Agenda. Mr. Roberts seconded the motion, which carried unanimously.

**Approval of Minutes for the October 8<sup>th</sup>, 2014 Meeting:**

**MOTION:**

Mr. Dowd made a motion to approve the October 8<sup>th</sup>, 2014 meeting minutes. Mr. Bailey seconded the motion, which carried unanimously.

**Approval /Disapproval of Absent Members:**

Mr. Bailey made a motion to approve the absence of Mr. Frank Clark. Mr. Roberts seconded the motion, which carried unanimously.

**Chairman's Remarks:**

*Derrick Williams- chairman*

Mr. Williams, Chairman reminded everyone that this meeting is being recorded and asked that everyone please speak clearly. Additionally, he advised all applicants and licensees to direct their questions to the chairman of the board.

**Application Reviews:**

*Mr. Jennings Jackson*

The Commission held an Application Review Hearing regarding Mr. Jennings Jackson. Mr. Jackson appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to allow Mr. Jackson to sit for the Residential Builders Exam. Mr. Dillard seconded the motion, which carried unanimously.

*Mr. William P. O'Herron*

The Commission held an Application Review Hearing regarding Mr. William P. O' Herron. Mr. O'Herron appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to deny the right for Mr. O'Herron to sit for the exam. Mr. Davis seconded the motion, which carried unanimously.

*Mr. Paul Fazzino Jr*

The Commission held an Application Review Hearing regarding Mr. Paul Fazzino Jr. Mr. Fazzino appeared before the Commission to present testimony with a witness Paul D. Fazzino Sr and waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to exit Executive Session. Mr. Roberts seconded the motion, which carried unanimously.

**MOTION:**

Mr. Dowd made a motion to go into Executive Session. Mr. Bailey seconded the motion, which carried unanimously.

**MOTION:**

Mr. Bailey made a motion to deny the request to sit for the Residential Builder exam until Mr. Fazzino could supply the board with a Builder's affidavit showing a minimum one year of experience. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Carlton C. Barnett*

The Commission held an Application Review Hearing regarding Mr. Carlton Barnett. Mr. Barnett appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to approved Mr. Barnett for his Specialty Registration. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. David B Trapp*

The Commission held an Application Review Hearing regarding Mr. David B Trapp. Mr. Trapp appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to approved Mr. Trapp for his specialty registration, once he provided further documentation showing completion from the courts and that a credit report would be required at next renewal. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Joel Watson*

The Commission held an Application Review Hearing regarding Mr. Joel Watson. Mr. Watson appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dillard made a motion to approve the residential specialty registration once proof of payments from his court order probation has been received and place his registration under probation which will run concurrent with his court ordered probation. Mr. Bailey seconded the motion, which carried unanimously.

*Mr. Ronald Moore*

The Commission held an Application Review Hearing regarding Mr. Ronald Moore. Mr. Moore appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dillard made a motion to deny Mr. Moore's request for the home inspector's exam exemption. Mr. Dowd seconded the motion, which carried unanimously.

*Mr. Charles B Carter*

The Commission held an Application Review Hearing regarding Mr. Charles B Carter. Mr. Carter appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to deny Mr. Carter's request for the home inspector's exam exemption. Mr. Dillard seconded the motion, which carried unanimously.

*Mr. Joshua Gladstone*

The Commission held an Application Review Hearing regarding Mr. Joshua Gladstone. Mr. Gladstone appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Gladstone's registration and require that he submit a new SLED report at the next renewal. Mr. Dowd seconded the motion, which carried unanimously.

*Mr. Derrick M Boddy*

The Commission held an Application Review Hearing regarding Mr. Derrick Boddy. Mr. Boddy appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to deny Mr. Boddy until an affidavit verifying his experience could be completed. Mr. Dowd seconded the motion, which did not carry unanimously, Mr. Dillard opposed.

*Mr. Kirby Blocker*

The Commission held an Application Review Hearing regarding Mr. Kirby Blocker. Mr. Blocker did not appear to present testimony.

**MOTION:**

No motions were made.

*Mr. Michael Goad*

The Commission held an Application Review Hearing regarding Mr. Michael Goad. Mr. Goad did not appear to present testimony he rescheduled for a future meeting date.

**MOTION:**

No motions were made.

*Ms. Amanda Pulliam –Lotito*

The Commission held an Application Review Hearing regarding Ms. Amanda Pulliam-Lotito. Ms. Pulliam-Lotito appeared before the Commission to present testimony with her attorney Mr. Mark Kuntz and a witness David Pulliam.

**MOTION:**

Mr. Dillard made a motion to allow Mr. Pulliam-Lotito to sit for the Residential builders exam. Mr. Davis seconded the motion, which carried unanimously.

*Mr. John Hancox*

The Commission held an Application Review Hearing regarding Mr. John Hancox. Mr. Hancox appeared before the Commission to present testimony with a witness Mr. Scott Toussaint and he waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to enter into Executive Session for legal advice. Mr. Bailey seconded the motion, which carried unanimously.

**MOTION:**

Mr. Bailey made a motion to exit Executive Session for legal advice. Mr. Roberts seconded the motion, which carried unanimously.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Hancox's Specialty Registration. Mr. Roberts seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

*Mr. Charles B. Carter*

**MOTION:**

Mr. Bailey made a motion to reconsider and reopen the Application Review for Mr. Charles B. Carter. Mr. Dillard seconded the motion which carried unanimously.

**MOTION:**

Mr. Bailey made a motion to approve for Mr. Charles B. Carter for is Home Inspectors licensing. Mr. Dillard seconded the motion which carried unanimously.

*Mr. James Nettles*

The Commission held a Renewal Review Hearing regarding Mr. James Nettles. Mr. Nettles appeared before the commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Davis made a motion to approve the renewal for Mr. Nettle's license once he provides proof of payment plans, satisfactions or reasonable offers for all outstanding judgments. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Darren C. White*

The Commission held an Application Review Hearing regarding Mr. Darren C. White. Mr. White appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to approve the renewal for Mr. White once he proof of payment plans, or reasonable offers for all outstanding judgments has been submitted. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Greg Keisler*

The Commission held an Application Review Hearing regarding Mr. Greg Keisler. Mr. Keisler appeared before the Commission to present testimony along with his attorney Mr. Andrew Syrett.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Keisler's renewal and placed him probation until next renewal and at that time he would need to reappear to give the board an update on his judgments and/or liens. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Allan Howell*

The Commission held an Application Review Hearing regarding Mr. Allan Howell. Mr. Howell appeared before the Commission to present testimony along with his attorney Mr. Alan Peace.

**MOTION:**

Mr. Bailey made a motion to deny the renewal for Mr. Howell at this time. Mr. Dowd seconded the motion, which carried unanimously.

*Mr. Gary Joyner*

The Commission held an Application Review Hearing regarding Mr. Gary Joyner. Mr. Joyner appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to allow 90 day reinstatement and within the 90 days Mr. Joyner would need to submit proof of satisfaction of judgment or cancellation of judgment. Mr. Davis seconded the motion, which carried unanimously.

*Mr. James Dillard*

The Commission held a Hearing regarding Mr. James Dillard regarding a PSI testing violation. Mr. Dillard appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to enter into Executive Session. Mr. Roberts seconded the motion, which carried unanimously.

**MOTION:**

Mr. Bailey made a motion to exit Executive Session. Mr. Roberts seconded the motion, which carried unanimously.

**MOTION:**

Mr. Bailey made a motion to allow Mr. Dillard to stand for the exam sixty (60) days from the order. Mr. Roberts seconded the motion, which carried unanimously.

**Final Order Hearings:**

*Mr. Terri H. Green- case # 2012-185*

The Commission held a Final Order Hearing regarding Mr. Terri Green. Mr. Bailey recused himself.

**MOTION:**

Mr. Davis made a motion to uphold the Hearing Officer's Recommendation. Mr. Roberts seconded the motion, which carried unanimously

*Mr. Jerrell D. "Buddy" Register- case# 2013-389*

The Commission held a Final Order Hearing regarding Mr. Jerrell D. "Buddy" Register. Mr. Bailey recused himself.

**MOTION:**

Mr. Davis made a motion to uphold the Hearing Officer's Recommendation. Mr. Dillard seconded the motion, which carried unanimously

*Mr. Wilson Dow- case#2013-449*

The Commission held a Final Order Hearing regarding Mr. Wilson Dow. Mr. Roberts recused himself.

**MOTION:**

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendation. Mr. Davis seconded the motion, which carried unanimously.

*Mr. Timothy W. Bruss- case# 2011-497*

The Commission held a Final Order Hearing regarding Mr. Timothy W. Bruss. Mr. Roberts recused himself.

**MOTION:**

Mr. Dowd made a motion to uphold the Hearing Officer's Recommendation. Mr. Bailey seconded the motion, which carried unanimously.

*Mr. Hutchinson Neely- case#2012-146*

The Commission held a Final Order Hearing regarding Mr. Hutchinson Neely.

**MOTION:**

Mr. Bailey made a motion to enter into Executive Session. Mr. Davis seconded the motion, which carried unanimously

**MOTION:**

Mr. Bailey made a motion to exit Executive Session. Mr. Dowd seconded the motion, which carried unanimously

**MOTION:**

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendation. Mr. Davis seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

**Administrator's Remarks:**

The administrator notified the Commission that the Contractor's board recently adopted the RBC standards for General Contractors performing residential construction.

**OIE Report – Mr. Todd Bond:**

*Todd Bond, Chief Investigator of OIE*

Mr. Todd Bond, Chief Investigator appeared to present the information to the commission regarding the OIE monthly report.

**Complaints Received – 484**  
**Closed Cases – 440**

**Active Investigations – 109**

**New Business**

A. Recommendations of IRC

**MOTION:**

Mr. Dowd made a motion to approve the Recommendation of the IRC. Mr. Roberts seconded the motion, which carried unanimously.

B. Resolution Guidelines

**MOTION:**

Mr. Bailey made a motion to approve the IRC Resolution Guidelines. Mr. Davis seconded the motion, which carried unanimously

**Old Business:**

*Interpretation of § 40-59-20(6)*

No action taken at this time.

**Public Comments:**

James Nivens, a home owner spoke and voiced his concerns regarding board members serving as hearing officers.

**Date of Next Meeting:**

The next Residential Builders Commission meeting will be held Wednesday, December 10<sup>th</sup>, 2014 in room 108.

**Adjournment:**

Mr. Davis made a motion to adjourn the Residential Builders Commission Meeting. Mr. Roberts seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 3:35 p.m.

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